

Exhibit 12

Friday, December 4, 2020 at 18:08:15 Eastern Standard Time

Subject: RE: Brady and Rule 16 Discovery**Date:** Friday, December 4, 2020 at 4:53:39 PM Eastern Standard Time**From:** Clayman, William G (USAVAE)**To:** Jade Chong-Smith**CC:** Jon Jeffress, Prabhu, Jay (USAVAE)**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know that the content is safe.

Jade,

We do not agree with your characterization of the requested information as material or relevant under Rule 16, *Brady*, or any other applicable standard. Nevertheless, our responses to your three requests are below:

1. We provided the report to you as we received it from the [REDACTED].
2. We do not know what the source is of the information you are referencing. It appears to be from an entity or entities outside the United States. But, as stated in the affidavit in support of the search warrant in this case, the [REDACTED] is known to the FBI and has a history of providing reliable and accurate information in many types of criminal investigations, including investigations of crimes against children. As the affidavit specifically notes, this accurate information includes tips related to IP addresses that were used to access child-exploitation-related websites on Tor, including the tip in this case. The document available at the hyperlink you found approves of [REDACTED] "lauding it as [REDACTED]" that has safeguarded a significant number of children from sexual abuse.
3. We do not agree with your characterization that the name a [REDACTED] entity attaches to a project or operation is relevant or material. We have provided you with the documents that constitute the tip as we received them from the [REDACTED]. The Court is aware that one of the [REDACTED]'s reports referenced a "[REDACTED]" and another referenced an operation named "[REDACTED]" see Dkt. No. 73 at 3-4, and appears to agree that the [REDACTED]'s naming convention has no impact on the substance or meaning of the tip. Indeed, you reiterated this issue in your motion to suppress, Dkt. No. 86, 17, n.15, which the Court denied. In any event, as noted above, we have provided you the tip information we received from the [REDACTED] as we received it.

Best,
Bill

William Clayman

Special Assistant U.S. Attorney (LT)

Eastern District of Virginia

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From: Jade Chong-Smith <jchong-smith@kaiserdillon.com>**Sent:** Thursday, December 3, 2020 9:16 PM**To:** Prabhu, Jay (USAVAE) <JPrabhu@usa.doj.gov>; Clayman, William G (USAVAE) <WClayman@usa.doj.gov>

Cc: Jon Jeffress <jjeffress@kaiserdillon.com>; Emily Voshell <EVoshell@kaiserdillon.com>

Subject: Brady and Rule 16 Discovery

Hello Jay and Bill,

Please see the attached letter on this. Thank you.

Best,

Jade

Jade Chong-Smith

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